

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT MAXEY,)	Case No.: 2:10-CV-00728-GMN-LRL
)	
Plaintiff,)	ORDER
vs.)	
)	
STATE OF NEVADA, ex. rel., its)	
BOARD OF REGENTS OF THE)	
NEVADA SYSTEM OF HIGHER)	
EDUCATION ON BEHALF OF THE)	
UNIVERSITY OF NEVADA, LAS)	
VEGAS, and the CONSOLIDATED)	
STUDENTS OF THE UNIVERSITY OF)	
NEVADA, LAS VEGAS; DAVID)	
RAPOPORT; and DOES 1-10,)	
)	
Defendants.)	
)	

Before the Court is Plaintiff's Motion to Strike (ECF No. 23) and Plaintiff's Application for an Extension of Time to File a Response to Defendant's Motion for Summary Judgment (ECF No. 35).

Defendants filed their Motion for Summary Judgment on August 18, 2010 (ECF No. 17). Defendants' motion is 34 pages long (33 pages plus 1 page for proof of service).

Local Rule 7-4 states:

Unless otherwise ordered by the court, pretrial and post-trial briefs and points and authorities in support of, or in response to, motions shall be limited to thirty (30) pages including the motion but excluding exhibits. Reply briefs and points and authorities shall be limited to twenty (20) pages, excluding exhibits. Where the court enters an order permitting a longer brief or points and authorities, the papers shall include a table of contents and table of authorities.

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1 Defendants' motion fails to comply with the Local Rule. Defendants did not seek
2 permission to file a lengthier pleading until after Plaintiff filed his Motion to Strike. In
3 Defendants' Response to the Motion to Strike (ECF No. 24), Defendants stated they were
4 mistaken in their belief regarding the number of pages permissible for a submitted
5 motion. The Defendants request that they be allowed to cure the mistake.


6 Plaintiff also filed a Motion to Extend Time pursuant to Local Rule 6-1. Plaintiff
7 and Defendants had previously stipulated that Plaintiff's Response to Defendants' Motion
8 for Summary Judgment would be due on November 24, 2010. (ECF No. 29). However,
9 Plaintiff is now requesting additional time to respond to Defendants' Motion for
10 Summary Judgment because it was unsure whether the Defendants' Motion for Summary
11 Judgment would be stricken by the Court.

12 IT IS HEREBY ORDERED that Plaintiff's Motion to Strike (ECF No. 23) is
13 DENIED.

14 IT IS FURTHER ORDERED that the Defendants shall have 14 days from the date
15 of this Order to cure the violation of Local Rule 7-4 and submit an Amended Motion for
16 Summary Judgment in accordance with the local court rules.

17 IT IS FURTHER ORDERED that Plaintiff's Motion to Extend Time (ECF No.
18 35) is moot. Plaintiff shall respond to Defendant's Amended Motion for Summary
19 Judgment according to local rules.

20 DATED this 23rd day of November, 2010.

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23 _____

24 Gloria M. Navarro
25 United States District Judge